



LEWIS THOMASON

LEWIS, THOMASON, KING, KRIEG & WALDROP, P.C.
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Charles W. Cagle
ccagle@lewisthomason.com

June 29, 2016

SUBMITTED ELECTRONICALLY VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: **Letters from Sweetwater Consortium**
Request for Review or Waiver of a Decision of the Universal
Service Administrator by Sweetwater City Schools et al., Docket
No. 02-6

Dear Ms. Dortch:

Attached are several letters that we are filing in support of the appeal submitted to the Commission on May 10, 2016.¹

In the attached letters, several Tennessee school districts provide additional details on the harm that the Commission will inflict on their schoolchildren beginning in early August when school starts, absent a grant of the Sweetwater Consortium's appeal.

Specifically, without immediate Commission action providing them with the E-rate funding to which they are entitled under the rules, these districts will be forced to:

- eliminate *numerous* teaching positions;
- significantly reduce technology expenditures, including plans for 1-to-1 device initiatives and replacing old computers;
- eliminate positions for assistant principals;
- delay needed capital maintenance, such as roof and HVAC replacement; and
- other budget cuts, including cutting expenditures for instructional materials and teacher training.

¹ See *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Consolidated Request for Review and/or Waiver by Sweetwater City Schools et al. of Funding Decisions by the Universal Service Administrative Company, filed May 10, 2016 (Sweetwater Appeal).

The Commission can avoid this harm to these schools and students with a simple action – by granting the appeal in a streamlined Public Notice addressing universal service appeals. If the Commission wishes to provide further guidance on cost-effectiveness to E-rate stakeholders, even though it declined to do so in the two Modernization Orders in 2014, it should do so in an order of general applicability, such as a clarification order, not in an adjudication.

We submit that this recommendation for action is the correct course. First, the Consortium did not violate any Commission rules and there is no existing Commission rule or guidance that would have mandated a different selection process or winning bidder. Second, the Consortium choose the most cost-effective bidder and also selected the bidder offering the lowest prices. Third, the Sweetwater Consortium entered into an enforceable contract with ENA, the winning bidder, based on ENA's offer to provide the services, and the Consortium's acceptance via the award letter. Finally, there was no waste, fraud or abuse as the services were delivered and used for their intended purposes, satisfying program rules and goals.

Respectfully, premises considered, there is simply no reason to deny the Consortium's appeal, and no reason for further delay in rendering the decision in this matter.

The districts writing the attached letters represent only a fraction of the districts harmed. As noted in their appeal, 43 school districts in Tennessee serving more than one-third of a million students are affected. These districts have been denied a total of more than \$60 million in E-rate eligible services in the three years that this appeal has been pending.

Please direct any questions regarding this filing to the undersigned.

Respectfully submitted,

LEWIS THOMASON KING KRIEG & WALDROP, P.C.

/s/ Charles W. Cagle

Charles W. Cagle
Counsel for the Sweetwater Consortium

Pickett County Schools

141 Skyline Drive, Byrdstown, TN 38549

Diane Elder, Director of Schools

Phone (931) 864-3123

Fax (931) 864-7185

June 28, 2016

Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

RE: Request for Review and/or Waiver by Sweetwater City Schools et al. of Funding Decisions by the Universal Service Administrative Company, Docket No. 02-6

Dear Ms. Dortch:

As Superintendent of the Pickett County School District, I write to address the consequences of my students of the process by which E-rate funding has been denied to my district. My district is a member of the Sweetwater Consortium, which was denied funding by USAC. We request immediate action by the Commission to provide the funding to which our district is entitled under the rules of the E-rate program. We know that you appreciate that budgets are always tight, and we hope that you know how much we appreciate the E-rate program and how much it has improved the teaching and learning experience.

Since 2013, our district has been purchasing services from ENA, which has consistently proven the validity of the scoring process by providing our schools continuous, reliable, cost-effective services. If funding is denied by the Commission, we want you to appreciate the significant harm that decision will cause. While our broadband connectivity is now a critical element of the teaching and learning experiences, it competes for funding with salaries for our teachers, capital improvements for our aging infrastructure and other programs. Every day that passes without a final resolution creates increasing pressure on our budget.

Already in our district, we have made significant cuts to our budgets. For example, Pickett County Schools is considered an 80% E-rate discount but now we are to pay the full amount. Due to this denial of funding, it has placed a significant financial burden on our school district. We cannot bear additional loss of funds. Because our budget counted on E-rate reimbursement, we accrued over the past three years a debt to ENA in the amount of \$113,159.20. If we are required to pay from school funds the amount owed to ENA, we will have to:

Cut back on the purchase of equipment to be used in the classroom and any supplies pertaining to technology. Pickett County High School was built in 1962 and requires a great deal of upkeep. Internet wiring was installed in the late 1990s and we have spent a substantial amount of money updating our infrastructure over the years. Computer technology is an ongoing expense that requires a large sum of funding in order to keep our technology current.

As you can readily see, the unexpected loss of funding as a result of a decision made three years after the procurement will be devastating to our children. As the damage suffered by a student in one year reverberates in future years, our students will suffer lasting harm. The procurement has fully achieved the Commission's goals for this program; we ask that you act quickly to avoid the dramatic damage that will result if the program is not funded. Even if the Commission acts to correct USAC's mistake six months or a year from now, we cannot replace the educational services that will be eliminated in the meantime – that time for that child is lost forever.

Accordingly, we ask that the Commission act immediately to grant our appeal and direct USAC to provide funding to our district. Please let me know if I can provide additional information.

Very Truly Yours,

A handwritten signature in cursive script that reads "Diane Elder".

Diane Elder
Director of Schools
Pickett County School District

ROBERTA BRAZIER, CHAIRMAN, 175 REED PATCH ROAD, LAWRENCEBURG, TN 38464
JERRY CAMPBELL, 205 WEST POINT ROAD, LAWRENCEBURG, TN 38464
KEVIN CARUSO, 1805 SPRINGER ROAD, LAWRENCEBURG, TN 38464
LARRY DAVIS, 602 2ND AVE. S, LORETTO, TN 38469
JOEY HARDIN, 1319 TURNPIKE, SUMMERTOWN, TN 38483

NICKY HARTSFIELD, 815 DOUGLAS DRIVE, LAWRENCEBURG, TN 38464
BRENDA JACOBS, 33 IDAHO ROAD, LEOMA, TN 38468
RICKY MABRY, 31 FREEDOM ROAD, MT. PLEASANT, TN 38474
DONNA WELLS, 315 VIRGINIA DRIVE, LAWRENCEBURG, TN 38464

LAWRENCE COUNTY SCHOOL SYSTEM

June 13, 2016

JOHNNY McDANIEL, Director of Schools
700 MAHR AVENUE
LAWRENCEBURG, TN 38464
(931) 762-3581 Fax (931) 766-1919

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: Request for Review and/or Waiver by Sweetwater City Schools et al. of Funding Decisions by the Universal Service Administrative Company, Docket No. 02-6

Dear Ms. Dortch:

As Superintendent of the Lawrence County School System, I write to address the consequences to my students of the process by which E-rate funding has been denied to my district. My district is a member of the Sweetwater Consortium, which was denied funding by USAC. We request immediate action by the Commission to provide the funding to which our district is entitled under the rules of the E-rate program. We know that you appreciate that budgets are always tight, and we hope that you know how much we appreciate the E-rate program and how much it has improved the teaching and learning experience.

Since 2013, our district has been purchasing services from ENA, which has consistently proven the validity of the scoring process by providing our schools continuous, reliable, cost-effective services. If funding is denied by the Commission, we want you to appreciate the significant harm that decision will cause. While our broadband connectivity is now a critical element of the teaching and learning experiences, it competes for funding with salaries for our teachers, capital improvements for our aging infrastructure and other programs. Every day that passes without a final resolution creates increasing pressure on our budget.

Already in our district, we have made significant cuts to our budgets. For example, for the upcoming 2016-2017 school year, two classroom teaching positions, four educational assistants, and the purchase of three school buses was cut from our budget due to cost constraints. Not to mention the many budget cuts over the past three to four years in the maintenance of our facilities. We cannot bear additional loss of funds. Because our budgeting counted on E-rate reimbursement, we have accrued over the past three years a debt to ENA in the amount of \$841,904.00. An additional year would compound another \$359,207.04 to this debt. If we are required to pay from school funds the amount owed to ENA, we will have to:

MISSION STATEMENT

Schools and the Community: Working Together for Student Success

The Lawrence County School System does not discriminate in employment or educational opportunity on the basis of race, color, national origin, gender, age, disability, veteran, or other protected status covered by federal, state, or local law.

- Continue to defer the maintenance of our outdated facilities. Two major needs in our system at this current time are roofs on 30+ year old buildings and the resurfacing of parking lots across the district.
- Reduce the number of Google Chromebooks purchased by the system. Our current initiative is to provide every student a device by June 2018. This would prolong that process for another three years and delay the updating of aging Chromebooks.
- Continue to reduce our number of classroom teachers by 9 positions. This would equate to over one half million dollars cut from the budget.

As you can readily see, the unexpected loss of funding as a result of a decision made three years after the procurement will be devastating to our children. As the damage suffered by a student in one year reverberates in future years, our students will suffer lasting harm. This procurement has fully achieved the Commission's goals for this program; we ask that you act quickly to avoid the dramatic damage that will result if the program is not funded. Even if the Commission acts to correct USAC's mistake six months or a year from now, we cannot replace the educational services that will be eliminated in the meantime – that time for that child is lost forever.

Accordingly, we ask that the Commission act immediately to grant our appeal and direct USAC to provide funding to our district. Please let me know if I can provide additional information.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Johnny McDaniel". The signature is fluid and cursive, with a large loop at the end.

Johnny McDaniel, Superintendent

June 10, 2016

Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

RE: Request for Review and/or Waiver by Sweetwater City Schools et al. of Funding Decisions by the Universal Service Administrative Company, Docket No. 02-6

Dear Ms. Dortch:

As Superintendent of the Dayton City School, I write to address the consequences to my students of the process by which E-rate funding has been denied to my district. My district is a member of the Sweetwater Consortium, which was denied funding by USAC. We request immediate action by the Commission to provide the funding to which our district is entitled under the rules of the E-rate program. We know that you appreciate that budgets are always tight, and we hope that you know how much we appreciate the E-rate program and how much it has improved the teaching and learning experience.

Since 2013, our district has been purchasing services from ENA, which has consistently proven the validity of the scoring process by providing our schools continuous, reliable, cost-effective services. If funding is denied by the Commission, we want you to appreciate the significant harm that decision will cause. While our broadband connectivity is now a critical element of the teaching and learning experiences, it competes for funding with salaries for our teachers, capital improvements for our aging infrastructure and other programs. Every day that passes without a final resolution creates increasing pressure on our budget.

Already in our district, we have made significant cuts to our budgets. We had to cut money for classroom computers and cut two classroom positions. We cannot bear additional loss of funds. Because our budgeting counted on E-rate reimbursement, we have accrued over the past three years a debt to ENA in the amount of \$46,050.00. This last year (2015-2016) we had to pay in \$58,548.96, with the monthly payment of \$4,879.08. If we are required to pay from school funds the amount owed to ENA, we will have to:

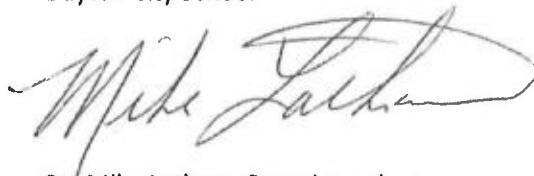
- Loss of two positions
 - Hold off on purchasing or updating teacher computers
 - We had to reduce the funds for technology about 15% Because of the rising cost of ERATE.

As you can readily see, the unexpected loss of funding as a result of a decision made three years after the procurement will be devastating to our children. As the damage suffered by a student in one year reverberates in future years, our students will suffer lasting harm. This procurement has fully achieved the Commission's goals for this program; we ask that you act quickly to avoid the dramatic damage that will result if the program is not funded. Even if the Commission acts to correct USAC's mistake six months or a year from now, we cannot replace the educational services that will be eliminated in the meantime – that time for that child is lost forever.

Accordingly, we ask that the Commission act immediately to grant our appeal and direct USAC to provide funding to our district. Please let me know if I can provide additional information.

Very Truly Yours,

Dayton City School

A handwritten signature in cursive script, reading "Mike Latham". The signature is written in dark ink and is positioned above the printed name.

By: Mike Latham, Superintendent

Clay County Schools

Jerry Strong, Director

P.O. Box 469, 520 Brown Street

Celina, Tennessee 38551

Phone: 931-243-3310 Fax: 931-243-3706

Board Members:

Benji Bailey, Chair

Anthony Smith, Vice-Chair

Christina Crawford

Veda Hix

Todd Lynn

Chris McLerran

Nathan Sherrell

Todd Upton

Vonda Weir

David West

June __, 2016

Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

RE: Request for Review and/or Waiver by Sweetwater City Schools et al. of Funding Decisions by the Universal Service Administrative Company, Docket No. 02-6

Dear Ms. Dortch:

As Superintendent of the Clay County School district, I write to address the consequences to my students of the process by which E-rate funding has been denied to my district. My district is a member of the Sweetwater Consortium, which was denied funding by USAC. We request immediate action by the Commission to provide the funding to which our district is entitled under the rules of the E-rate program. We know that you appreciate that budgets are always tight, and we hope that you know how much we appreciate the E-rate program and how much it has improved the teaching and learning experience.

Since 2013, our district has been purchasing services from ENA, which has consistently proven the validity of the scoring process by providing our schools continuous, reliable, cost-effective services. If funding is denied by the Commission, we want you to appreciate the significant harm that decision will cause. While our broadband connectivity is now a critical element of the teaching and learning experiences, it competes for funding with salaries for our teachers, capital improvements for our aging infrastructure and other programs. Every day that passes without a final resolution creates increasing pressure on our budget.

We have incurred extra cost for services rendered in 2015-2016 to avoid connectivity interruptions while hoping for a resolution. Already in our district, we have made significant cuts to our budget. For example, we have cut a School Resource Officer, School Nurse, and a teaching position. We cannot bear

The mission of Clay County Schools is to provide a positive learning environment in which students develop to their fullest potential, achieve success, and are prepared to meet the challenges of an ever-changing world.

additional loss of funds. Because our budgeting counted on E-rate reimbursement, we have accrued over the past three years a debt to ENA in the amount of \$133285.20. If we are required to pay from school funds the amount owed to ENA, we will have to:

- Cut at another teaching position, do without a county-wide academic coach
- Cut technology expenses by NOT purchasing new equipment
- Defer maintenance on a dilapidated Geo-Thermal system
- Reduce future technology expenditures by 80%

As you can readily see, the unexpected loss of funding as a result of a decision made three years after the procurement will be devastating to our children. As the damage suffered by a student in one year reverberates in future years, our students will suffer lasting harm. This procurement has fully achieved the Commission's goals for this program; we ask that you act quickly to avoid the dramatic damage that will result if the program is not funded. Even if the Commission acts to correct USAC's mistake six months or a year from now, we cannot replace the educational services that will be eliminated in the meantime – that time for that child is lost forever.

Accordingly, we ask that the Commission act immediately to grant our appeal and direct USAC to provide funding to our district. Please let me know if I can provide additional information.

Very Truly Yours,

Clay County Schools

By: 

Jerry Strong, Superintendent

The mission of Clay County Schools is to provide a positive learning environment in which students develop to their fullest potential, achieve success, and are prepared to meet the challenges of an ever-changing world.

CLINTON CITY SCHOOL SYSTEM

212 North Hicks Street • Clinton, TN 37716

Telephone: (865) 457-0159 • Fax: (865) 463-0668

www.clintonschools.org



June 15, 2016

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: Request for Review and/or Waiver by Sweetwater City Schools et al. of Funding Decisions
by the Universal Service Administrative Company, Docket No. 02-6

Dear Ms. Dortch:

As Superintendent of Clinton City Schools, I write to address the consequences to my students of the process by which E-rate funding has been denied to my district. My district is a member of the Sweetwater Consortium, which was denied funding by USAC. We request immediate action by the Commission to provide the funding to which our district is entitled under the rules of the E-rate program. We know that you appreciate that budgets are always tight, and we hope that you know how much we appreciate the E-rate program and how much it has improved the teaching and learning experience.

Since 2013, our district has been purchasing services from ENA, which has consistently proven the validity of the scoring process by providing our schools continuous, reliable, cost-effective services. If funding is denied by the Commission, we want you to appreciate the significant harm that decision will cause. While our broadband connectivity is now a critical element of the teaching and learning experiences, it competes for funding with salaries for our teachers, capital improvements for our aging infrastructure and other programs. Every day that passes without a final resolution creates increasing pressure on our budget.

Already in our district, we have made significant cuts to our budgets. For example, we had to cut classroom teaching positions which increased our student/teacher ratio in all grade levels. We had to cut maintenance positions, teaching assistant positions, and instructional resources for students and teachers. We also had to cut our technology budget which would have placed additional devices in the hands of students and teachers. We cannot bear additional loss of funds. Because our budgeting counted on E-rate reimbursement, we have accrued over the past three years a debt to ENA in the amount of \$416,381.05. If we are required to pay from school funds the amount owed to ENA, we will have to:

- Cut Assistant Principal positions
- Cut approximately four teaching positions (which is a very significant cut in a school system as small as ours)

- Defer aging HVAC replacements/repairs in all school buildings
- Reduce future technology expenditures by approximately \$75,000
- Significantly reduce the professional development funds provided to teachers
- Significantly reduce the funds available for textbook purchases, instructional materials

As you can readily see, the unexpected loss of funding as a result of a decision made three years after the procurement will be devastating to our children. As the damage suffered by a student in one year reverberates in future years, our students will suffer lasting harm. This procurement has fully achieved the Commission's goals for this program; we ask that you act quickly to avoid the dramatic damage that will result if the program is not funded. Even if the Commission acts to correct USAC's mistake six months or a year from now, we cannot replace the educational services that will be eliminated in the meantime — that time for that child is lost forever.

Accordingly, we ask that the Commission act immediately to grant our appeal and direct USAC to provide funding to our district. Please let me know if I can provide additional information.

Very Truly Yours,

A handwritten signature in cursive script that reads "Vicki Violette".

Dr. Vicki Violette
Superintendent
Clinton City Schools

Hawkins County Schools

School Board Members

Chris Christian, Chairman
Bob Larkins, Vice-Chairman
Kathy Cradic
Holly Heltor
Tecky Hicks
Debbie Shedden
Michael Williams

200 North Depot Street
Rogersville, TN 37857
423.272.7629 Fax 423.272.2207

Director of Schools
Steve Starnes

Executive Administrative Assistant
Jennifer Winegar



June 15, 2016

Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

RE: Request for Review and/or Waiver by Sweetwater City Schools et al. of Funding Decisions by the Universal Service Administrative Company, Docket No. 02-6

Dear Ms. Dortch:

As Superintendent of the Hawkins County School System, I write to address the consequences to my students of the process by which E-rate funding has been denied to my district. My district is a member of the Sweetwater Consortium, which was denied funding by USAC. We request immediate action by the Commission to provide the funding to which our district is entitled under the rules of the E-rate program. We know that you appreciate that budgets are always tight, and we hope that you know how much we appreciate the E-rate program and how much it has improved the teaching and learning experience.

Since 2013, our district has been purchasing services from ENA, which has consistently proven the validity of the scoring process by providing our schools continuous, reliable, cost-effective services. If funding is denied by the Commission, we want you to appreciate the significant harm that decision will cause. While our broadband connectivity is now a critical element of the teaching and learning experiences, it competes for funding with salaries for our teachers, capital improvements for our aging infrastructure and other programs. Every day that passes without a final resolution creates increasing pressure on our budget.

Already in our district, we have made significant cuts to our budgets. For example, over the past three years, we have cut 20 teaching positions as well as additional support positions (teaching assistants, maintenance personnel, etc.) due to budget constraints. We are currently in a position that our district is having to repay Education Networks of America (ENA) for charges incurred due to the denial of these E-rate funds to the tune of \$1,318,337.87 for services delivered through June 30, 2015. Additionally, we had to pay full cost for internet connectivity

in 2015-16 at a cost of \$820,128. Combined, these two amounts total \$2,138,465.87. Being unable to pay this exorbitant amount in one fiscal year, we negotiated a deal with ENA to pay \$439,712.44 during the 2015-16 fiscal year and then pay \$242,446.98 annually for seven years beginning September, 2016 in addition to regular annual service charges to repay this debt due to the withholding of E-rate funds. We are facing a one million dollar deficit in our 2016-17 budget and almost one fourth of that deficit is due to repaying charges to ENA due to the withholding of E-rate funds. It is very hard to explain to our local taxpayers that one fourth of our deficit is because funds that were set aside to help with the cost of internet connectivity are being withheld by the FCC.

As you can readily see, the unexpected loss of funding as a result of a decision made three years after the procurement will be devastating to our children. As the damage suffered by a student in one year reverberates in future years, our students will suffer lasting harm. This procurement has fully achieved the Commission's goals for this program; we ask that you act quickly to avoid the dramatic damage that will result if the program is not funded. Even if the Commission acts to correct USAC's mistake six months or a year from now, we cannot replace the educational services that will be eliminated in the meantime – that time for that child is lost forever.

Accordingly, we ask that the Commission act immediately to grant our appeal and direct USAC to provide funding to our district. Please let me know if I can provide additional information.

Very Truly Yours,

A handwritten signature in dark ink, appearing to read "Steve Starnes", with a stylized, cursive script.

Steve Starnes, Director of Schools
Hawkins County Board of Education



STEWART COUNTY SCHOOL SYSTEM

1031 Spring Street • P.O. Box 433 • Dover, Tennessee 37058

Phone: 931-232-5176 • Fax: 931-232-5390

www.stewartcountyschools.net

Leta Joiner, Director of Schools

June 8, 2016

Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

RE: Request for Review and/or Waiver by Sweetwater City Schools et al. of Funding Decisions by the Universal Service Administrative Company, Docket No. 02-6

Dear Ms. Dortch:

As Superintendent of the Stewart County Schools, I write to address the consequences to my students of the process by which E-rate funding has been denied to my district. My district is a member of the Sweetwater Consortium, which was denied funding by USAC. We request immediate action by the Commission to provide the funding to which our district is entitled under the rules of the E-rate program. We know that you appreciate that budgets are always tight, and we hope that you know how much we appreciate the E-rate program and how much it has improved the teaching and learning experience.

Since 2013, our district has been purchasing services from ENA, which has consistently proven the validity of the scoring process by providing our schools continuous, reliable, cost-effective services. If funding is denied by the Commission, we want you to appreciate the significant harm that decision will cause. While our broadband connectivity is now a critical element of the teaching and learning experiences, it competes for funding with salaries for our teachers, capital improvements for our aging infrastructure and other programs. Every day that passes without a final resolution creates increasing pressure on our budget.

Already in our district, we have made significant cuts to our budgets. For example, we have delayed the purchase of new equipment or the addition of personnel for new programs to compensate for this loss of funding. We cannot bear additional loss of funds. Because our budgeting counted on E-rate reimbursement, we have accrued over the past three years a debt to ENA in the amount of \$450,000. If we are required to pay from school funds the amount owed to ENA, we will have to:

- Delay the replacement of a school roof

OUR MISSION: QUALITY EDUCATION FOR ALL

BOARD MEMBERS: Billy Sexton, Chairman

Darrell Gillum • Billy Gray • Lesa Fitzhugh • Bobby Morgan • Lana Sanders • Kenneth Collins

- Cuts to instructional personnel
- Defer the replacement of aging HVAC systems
- Reduce our current technology budget to subsistence levels.

As you can readily see, the unexpected loss of funding as a result of a decision made three years after the procurement will be devastating to our children. As the damage suffered by a student in one year reverberates in future years, our students will suffer lasting harm. This procurement has fully achieved the Commission's goals for this program; we ask that you act quickly to avoid the dramatic damage that will result if the program is not funded. Even if the Commission acts to correct USAC's mistake six months or a year from now, we cannot replace the educational services that will be eliminated in the meantime – that time for that child is lost forever.

Accordingly, we ask that the Commission act immediately to grant our appeal and direct USAC to provide funding to our district. Please let me know if I can provide additional information.

Very Truly Yours,

Stewart County Schools

By: Leta Joiner, Superintendent



Director of Schools

Mike Winstead, Ph.D.

mike.winstead@maryville-schools.org

833 Lawrence Avenue, Maryville, Tennessee 37803-4857

Tel (865) 982-7121 || Fax (865) 977-5055

Assistant Director of Schools

Rick Wilson, Ed.S.

rick.wilson@maryville-schools.org

June 13, 2016

Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

RE: Request for Review and/or Waiver by Sweetwater City Schools et al. of Funding Decisions by the Universal Service Administrative Company, Docket No. 02-6

Dear Ms. Dortch:

As Superintendent of the Maryville City School District, I write to address the consequences to my students of the process by which E-rate funding has been denied to my district. My district is a member of the Sweetwater Consortium, which was denied funding by USAC. We request immediate action by the Commission to provide the funding to which our district is entitled under the rules of the E-rate program. We know that you appreciate that budgets are always tight, and we hope that you know how much we appreciate the E-rate program and how much it has improved the teaching and learning experience.

Since 2013, our district has been purchasing services from ENA, which has consistently proven the validity of the scoring process by providing our schools continuous, reliable, cost-effective services. If funding is denied by the Commission, we want you to appreciate the significant harm that decision will cause. While our broadband connectivity is now a critical element of the teaching and learning experiences, it competes for funding with salaries for our teachers, capital improvements for our aging infrastructure and other programs. Every day that passes without a final resolution creates increasing pressure on our budget.

Because our budgeting counted on E-rate reimbursement, we have accrued over the past three years a debt to ENA in the amount of \$177,036. If we are required to pay from school funds the amount owed to ENA, we will have to defer school maintenance projects and reduce future technology expenditures.

The unexpected loss of funding as a result of a decision made three years after the procurement will be a hardship for our district. This procurement has fully achieved the Commission's goals for this program; we ask that you act quickly to avoid the negative impact that will result if the program is not funded. Even if the Commission acts to correct USAC's mistake six months or a year from now, we cannot replace the educational services that will be eliminated in the meantime – that time for that child is lost forever. Accordingly, we ask that the Commission act immediately to grant our appeal and direct USAC to provide funding to our district. Please let me know if I can provide additional information.

Very Truly Yours,

Maryville City School

By: 

Mike Winstead, Superintendent

www.maryville-schools.org

Maryville Board of Education

Doug Jenkins, Chairman Bethany Pope, Vice-Chairman Candy Morgan, Secretary Christi Sayles, Member Bob Proffitt, Member

Van Bledsoe
Jeff Camper
Tommy Gordon, Chairman
Bobby Harrington
Daniel Lewis
Dennis Ray McDaniel
John Wood

Director of Schools
Steve Wilkinson

35 E. Wilson St.
Lexington, TN. 38351
Telephone: 731-968-3661
Fax: 731-968-9457

Henderson County School System

June 9th, 2016

Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

RE: Request for Review and / or Waiver by Sweetwater City Schools et al. of Funding Decisions by the Universal Service Administrative Company, Docket No. 02-6

Dear Ms. Dortch:

As Director of the Henderson County School District, I write to address the consequences to my students of the process by which E-rate funding has been denied to my district. My district is a member of the Sweetwater Consortium, which was denied funding by USAC. We request immediate action by the Commission to provide the funding to which our district is entitled under the rules of the E-rate program. We know that you appreciate that budgets are always tight, and we hope that you know how much we appreciate the E-rate program and how much it has improved the teaching and learning experience.

Since 2013, our district has been purchasing services from ENA, which has consistently proven the validity of the scoring process by providing our schools continuous, reliable, cost-effective services. If funding is denied by the Commission, we want you to appreciate the significant harm that decision will cause. While our broadband connectivity is now a critical element of the teaching and learning experiences, it competes for funding with salaries for our teachers, capital improvements for our aging infrastructure and other programs. Every day that passes without a final resolution creates increasing pressure on our budget.

Already in our district, we have made significant cuts to our budgets. We cannot bear additional loss of funds. Because our budgeting counted on E-rate reimbursement, we have accrued over the past three years a debt to ENA in the amount of \$248,000. If we are required to pay from school funds the amount owed to ENA, we will have had to:

- Reduce future technology expenditures

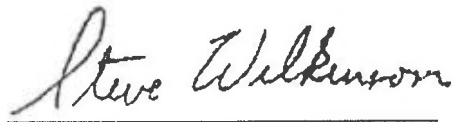
As you can readily see, the unexpected loss of funding as a result of a decision made three years after the procurement will be devastating to our children. As the damage suffered by a student in one year reverberates in future years, our students will suffer lasting harm. This procurement has fully achieved the Commission's goals for this program; we ask that you act quickly to avoid the dramatic damage that will result if the program is not funded. Even if the Commission acts to correct USAC's mistake six months or a year from now, we cannot replace the educational services that will be eliminated in the meantime- that time for that child is lost forever.

Accordingly, we ask that the Commission act immediately to grant our appeal and direct USAC to provide funding to our district. Please let me know if I can provide additional information.

Very Truly Yours,

Steve Wilkinson / Director of Schools

Henderson County School System

A handwritten signature in cursive script that reads "Steve Wilkinson". The signature is written in dark ink and is positioned above a thin horizontal line.